

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ENCOMPASS INSURANCE COMPANY OF
MASSACHUSETTS,

Plaintiff,

vs.

JOSEPH D. GIAMPA, FREDERICK T.
GIAMPA, ADVANCED SPINE CENTERS,
INC., d/b/a FIRST SPINE REHAB, FUTURE
MANAGEMENT CORPORATION, FUTURE
MANAGEMENT BUSINESS TRUST,
EDWARD KENNEDY, BRIAN J.
CULLINEY, D.C. and JENNIFER
McCONNELL, D.C.

Defendants.

Civil Action No. 1:05-cv-11693-RCL

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), I hereby certify that I have attempted, in good faith, to confer with Stephanie Vinas' counsel (Patrick Shanley) to resolve or narrow the issues addressed in Stephanie Vinas' Motion to Quash Third-Party Subpoena (and plaintiff's opposition thereto) and Encompass' Motion to Compel Deposition. Unfortunately, Attorney Shanley was unwilling to confer with counsel on these matters.

Respectfully Submitted,
Encompass Insurance Company,
By its Attorneys,

/s/ Richard D. King, Jr.

Richard D. King, Jr. (BBO # 638142)
Nathan A. Tilden (BBO # 647076)
SMITH & BRINK, P.C.
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Dated: April 12, 2007

Certificate of Service

I, Richard D. King, Jr., hereby certify that on this 12th day of April, 2007, this document was filed through the CM/ECF and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

_____/s/ Richard D. King, Jr.____